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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,986	01/31/2001	Ron Abraham Gut	AWR-048	4372

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MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER	
NGUYEN, HAU H	
ART UNIT	**PAPER NUMBER**
2676	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/774,986	GUT ET AL.	
	Examiner	Art Unit	
	Hau H Nguyen	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 August 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

4a) Of the above claim(s) *3,4,16-30,38-42 and 46* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5-15,31-37 and 43-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation "the at least one component". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-2, 5-7, 12-15, 43-45 rejected under 35 U.S.C. 102(e) as being anticipated by Lafer et al. (U.S. Patent No. 6,192,382).

Referring to claims 1, 6, 12-15, 43-45, Lafer et al. teach a method and system for specifying fragments of HTML text using specialized tags, holding these fragments in a tag cache, and rapidly rendering personalized HTML pages using the cached fragments, which, as shown in Fig. 1, comprises a page formation mapping process 24 provides construction of the HTML pages, a page cache 16 reduces latency by holding HTML pages that are likely to be used again in the future, as represented by references 18, 20 and 22, a tag cache 28 contains HTML fragments (components) that are substituted for tag values (which implies that more than one components are included). The tag cache is composed of a plurality of tag-content pairs as shown in blocks 30 and 32, 34 and 36, 38 and 40, and 42 and 44 (component tag and component payload) (col. 3, lines 8-42). If the page is not in the cache (an uncached object), the page must be constructed or generated. The generation process begins by obtaining the tag-extended HTML file as shown in block 108. Block 110 shows that the tag-extended file is then parsed until either a particular tag or the end-of-file is encountered. If the end-of-file is encountered, as is shown in block 112, a check is made to determine if the page should be cached as in block 114. If so, block 116 indicates that the page is placed in the page cache (col. 3, lines 62-67, and col. 4, lines 1-5).

In regard to claim 2 and 5, Lafer et al. teach the content of a particular tag includes a set of tag attributes. One tag attribute determines the tag type. Other tag attributes have text values that can contain substitution tokens. These tokens are replaced by values depending on the tag type. Possible token replacements include but are not limited to content data from a database, URLs for predefined forms, user session information, and URL attributes and form fields (obtaining the components) (col. 4, lines 24-31).

In regard to claim 7, as cited above, Lafer et al. teach constructing the HTML file from the HTML fragments. Therefore, it is inherent that these HTML fragments (components) should be requested.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 8, 10, 31-34, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lafer et al. (U.S. Patent No. 6,192,382) in view of Conboy et al. (U.S. Patent No. 6,363,418).

Referring to claims 8, 10, 31-34 and 36-37, as cited above, Lafer et al. teach a method and system for a server having a cache for storing components for use in construction of HTML pages, and obtaining content data from database. Lafer et al. also teach the tags form an extension to the HTML language that allow for dynamic substitution of content for tag values based on stored user preferences and session information (col. 3, lines 16-20), and therefore, the construction of the file is determined by the user. Thus, Lafer et al. teach all the limitations of claims 8, 10, 31-34 and 36-37, except that the content data is an image.

However, Conboy et al., as shown in Fig. 2, teach a method for on-line controlling caching of an image on a viewing device to efficiently display the image on the viewing device.

The method comprises the following steps: (a) sending from a server to the viewing device an image tag included in a hypertext language code, the image tag having attributes, the attributes specifying the image; (b) parsing the hypertext language code including the image tag; (c) searching for a copy of the image in a cache memory of the viewing device using the image tag attributes; (d) displaying the copy of the image if the copy of the image is found in the cache memory and is current; (e) fetching the image from the server if the copy of the image is not found in the cache memory or if the copy of the image is not current; and (f) storing the fetched image and the image tag attributes in the cache memory (col. 2, lines 14-28). Conboy et al. further teach the image tag attributes comprises LOCALTYPE (for image types), LOCALID or LOCALNAME, and LOCALSIGNATURE (col. 4, lines 15-32) (component tag), and additional information such as image tag attribute SRC, optional attributes HEIGTH and WIDTH which provide information on the image height and width (component payload) (see col. 4, lines 9-14). Conboy et al. also teach the image can be a JPEG image (compressed image) (col. 4, lines 18-21).

Therefore, it would have been obvious to one skilled in the art to utilize the method of locating image using image tags and components as taught by Conboy et al. in combination with the method of constructing image file as taught by Lafer et al. in order to reduce unnecessary actions significantly degrade the image display performance, such as opening of the network connection and the start of the image downloading are unnecessary when a current copy of the image is already locally cached (col. 2, lines 1-7).

7. Claims 9, 11, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lafer et al. (U.S. Patent No. 6,192,382) in view of Conboy et al. (U.S. Patent No. 6,363,418) in view of Dekel et al. (U.S. Patent No. 6,314,452).

Referring to claims 9, 11, and 35, as cited above, Lafer et al. and Conboy et al. teach all the limitations of claims 9, 11, and 35, except that the image file is a JPEG2000.

However, Dekel et al. teach a method of transmitting a digital image over a communication network, wherein with reference to Figs. 1 and 2, the ROI (region of interest) is formulated in step 203 by the client 110 into a request list that is sent to the server 120. Each such request corresponds to a data block. Upon receiving the ROI request list, the server 120 processes the requests according to their order. For each such request the server 120 checks if the corresponding data block already exists in the cache 121. If not, the server 120 then computes the data block, stores it in the cache 121 and immediately sends it to the client 110. Once a data block that was requested arrives at the client 110, it is inserted into the cache 111. At various points in time during the transfer process, a decision rule invokes a rendering of the ROI by the client 110 (col. 4, lines 62-67, and col. 5, lines 1-10). Delek et al. also teach the image format can be a JPEG2000 image (col. 1, lines 22-25).

Therefore, it would have been obvious to one skilled in the art to utilize the method as taught by Lafer et al. and Conboy et al. in combination with the method as taught by Delek et al. in order to support several modes of progressive transmission: by accuracy, by resolution, and by spatial order (col. 2, lines 18-20).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 703-305-4104. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 703-308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

H. Nguyen

11/09/2004

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600